

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE Assigned U.S.
 OTHER MINOR OFFENSE MO ☐ 1085/4 8509 vs.
 OTHER MISDEMEANOR Mis ☐ District Office 11-3-76
 FELONY Fel ☒ (LAST, FIRST, MIDDLE)

ATTERBURY, James Henry (Bond) (22) Case Filed Mo. Day
 514 W. Ft. Worth 10 13
 Broken Arrow 74012 (258-3664) No. of Def's * 3
 JUVENILE

Barrow

76-CR-140 - 1

Yr. Docket No. Def.

U.S. MAG.
CASE NO.

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS
18:371,1702	Conspiracy - obstruction of corresp. (\$10,000 and/or 5 yrs)	1
18:495 and 2	Counterfeit and forgery (\$1,000 and/or 10 yrs)	2

BAIL • RELEASE

☐ Denied ☐ AMT ☐ Fugitive
☐ Set ☐ Pers. Recog.
☐ PSA
 \$ 1 000 conditions
 Date 10-13
☐ 10% Deposit
☐ Surety Bond
☐ Collateral
☐ Bail Not Made
☒ Status Changed (See Docket) ☐ 3rd Prty Cust ☒ OR Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL
U.S. Custody Began 10-15-76	High Risk Date 10-13-76	10-21-76	Trial Set For Voor Dire <input type="checkbox"/>
Summons Served	Indict. Waived <input type="checkbox"/>	1st Plea 10-21-76	Trial Began <input type="checkbox"/>
First Appearance	In Charging District	Final Plea 10-21-76	Trial Ended <input type="checkbox"/>

SUPERSEDING
COUNTS

SENTENCE

Disposition of Charges
 11-3-76
☒ Convicted ☒ On All Charges
☐ Acquitted ☐ On Lesser * Offense(s)
☐ Dismissed: ☐ WOP: ☐ WP
☐ On Governm'ts Motion

MAGISTRATE

DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Search Warrant Issued		PRELIMINARY EXAMINATION OR REMOVAL HEARING		<input type="checkbox"/> DISMISSED
Summons Issued		Date Scheduled		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons Served		Date Held		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
Arrest Warrant Issued		WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/>	Tape Number	
COMPLAINT		INTERVENING INDICTMENT <input type="checkbox"/>		
OFFENSE (In Complaint)				

U.S. Attorney or Asst.

Hubert H. Bryant

ATTORNEYS

Defense: ☐ CJA ☒ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

Howard D. Childers
 5924 South Marion Pl.
 Tulsa
 747-8933

* Show last names and suffix numbers of other defendants on same indictment/information:

Spaulding - 2; Baker - 3.

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
10-13-76		Record vote of grand jury, filed in open ct. rm	
10-13-76		Indictment, filed in open court. Bond set at \$1,000 OR 2 10-13-76 M	
10-14-76		Warrant for arrest of def. issued. rm	
10-15-76		Magistrate papers added to file. rm	
10-15-76		Appearance bond (\$1000 personal), filed. rm	
10-15-76		Order, filed, specifying methods & conditions of release. (CSB-Mag)rm	
10-18-76		MO: Case set for arraignment & plea for Thursday, 10/21/76 at 10 a.m. Def. granted 10 days from this date to file any and all motions; govt. 5 days to respond. (AEB-J)rm-notices	
10-19-76		W/Arrest, ret. & filed: def. arrested 10-15-76. g 2 10-15-76 M 3	
10-21		Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknow. receipt of indict., is advised of charged & placed under oath. Deft. is arraigned & enters plea of GUILTY to Cts. 1 & 2 & is adjudged GUILTY as charged. cont'd	

DATE	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY				For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)
			Interval Section II (a)	Start Date (b)	Ltr. Code (c)	Total Days (d)	
11-3	<p>Deft. waives jury; waiver signed & filed in open ct. Indict. read.</p> <p>Ct. orders pre-sent. report. Sentencing set on 11-3-76, at 10:00 A.M. Bond continued. (AEB-J)b</p> <p>Case called for sentencing. Deft. present & rep. Govt. rep. Deft. & co. asked if they have anything to say before sentence is pronounced:</p> <p>Judgment & Sentence - James Henry Atterbury</p> <p>Ct. 1 - Impos. of sent. is suspended & deft. is placed on prob. for period of three (3) years pursuant to 4216:5010(a) under provisions of YCA.</p> <p>Ct. 2 - Impos. of sent. is suspended & deft. is placed on prob. for period of three (3) years pursuant to 4216:5010(a) YCA, to run concurrently w/sent. imposed in Ct. 1. Condition of prob. is that deft. make restitution in amt. of \$42.50, payable to Ct. Clk. at \$5.00 a mo. to begin in Dec. 1976. Bond exonerated. (AEB-J)b</p> <p>11-3 Judgment & Ord. of Prob., filed & entered. (AEB-J)b</p> <p>11-3 Two c/c of J & Ord. of P to probation. b</p>						<p>A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).</p> <p>B. NARA Examination (28 U.S.C. 2902).</p> <p>C. State or Federal trials on other charges.</p> <p>D. Interlocutory Appeals.</p> <p>E. Hearings on pretrial motions.</p> <p>F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).</p> <p>G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).</p> <p>H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.</p> <p>I. Prosecution deferred by mutual agreement.</p> <p>M. Unavailability of defendant or essential witness.</p> <p>N. Period of mental or physical incompetence of defendant to stand trial.</p> <p>O. Period of NARA Commitment or Treatment.</p> <p>P. Superseding indictment and/or new charges.</p> <p>R. Defendant awaiting trial of Co-defendant when no severance has been granted.</p> <p>T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendant's interests).</p> <p>U. Time between guilty plea and plea withdrawal.</p> <p>W. Grand Jury indictment extended per 3161 (b).</p>
5-2-79	Order of discharge from probation, unconditionally, filed. (HDC-J)k						
5-2-79	Certificate of vacation of conviction, filed. (HDC-J)k						
FINE AND RESTITUTION PAYMENTS							
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER		
1-12-77	\$5.00 restitution	3-1-78 10.00					
2-2-77	\$5.00	2-15-78 7.50					
12-17-77	5.00	\$42.50 pd in full -					
4-3-78	10.00	to Oak Crest Twp. -wise B.A.					

Δ will mail in restit. payments -
give receipt to Rob. Section, Prob. 466.

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE Assigned ☐ U.S.
 OTHER MINOR OFFENSE MO ☐ 1085/4 8509 vs.
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office 1-18-77 (LAST, FIRST, MIDDLE)

SPAULDING, Bradley Allen (21)
 5530 E. Tecumseh
 Tulsa, Ok 74115
 838-1363

Case Filed
 Mo. Day
 10 13
 No. of Def's
 * 3
 JUVENILE

Barrow

76-CR-140 - 2
 Yr. Docket No. Def.

U.S. TITLE/SECTION OFFENSES CHARGED ORIGINAL COUNTS
 18:371,1702 Conspiracy - obstruction of corresp. 1
 (\$10,000 and/or 5 yrs)
 18:495 and 2 Counterfeit and forgery 2
 (\$1,000 and/or 10 yrs) *ct 2 denied*
 Surety: Peerless Insur.
 David L. Hamilton
 624 S. Denver, Tulsa, Ok.

U.S. MAG.
CASE NO.

BAIL • RELEASE

☐ AMT ☐ Fugitive
 Denied Set ☐ Pers. Recog.
 \$ 1,000 ☐ PSA
 conditions

Date 10-13-76 ☐ 10% Deposit
☐ Surety Bond

☐ Bail Not Made ☐ Collateral
☒ Status Changed (See Docket) ☐ 3rd Prty Cust ☒ XOR Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL
U.S. Custody Began 12-9-76	High Risk Date 10-13-76	1st Plea 12-16-76	Trial Set For 1-17-77
Summons Served	Indict. Waived <input type="checkbox"/>	Final Plea 1-11-77	Voir Dire <input type="checkbox"/>
First Appearance	In Charging District	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	Trial Began <input type="checkbox"/>
		NG <input checked="" type="checkbox"/> G <input type="checkbox"/> NOL	Trial Ended <input type="checkbox"/>

SENTENCE

Disposition of Charges
 1-18-77
☒ Convicted ☐ On All Charges
☐ Acquitted ☒ On Lesser *
 Offense(s)
☒ Dismissed: ☐ WOP: ☐ WP
☒ On Govern'ts Motion/ct. 2.

MAGISTRATE		OUTCOME:
Search Warrant Issued	DATE INITIAL/NO.	<input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PRO- CEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PRO- CEEDING IN DISTRICT BELOW:
Summons Issued	INITIAL APPEARANCE DATE	
Arrest Warrant Issued	PRELIMINARY EXAMINATION OR REMOVAL HEARING	
COMPLAINT	DATE Date Scheduled Date Held	
OFFENSE (In Complaint)	<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT	Tape Number

U.S. Attorney or Asst.

ATTORNEYS

Defense ☒ JA ☐ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

Huberty H. Bryant
 Asst. U.S. Attorney

Don McCorkell, Jr. PH: 583-2626
 1700 Fourth National Bank Building
 Tulsa, OK 74119

* Show last names and suffix numbers of other defendants on same indictment/information:

Atterbury - 1; Baker - 3.

PROCEEDINGS

EXCLUDABLE DELAY

(a) (b) (c) (d)

DATE	(DOCUMENT NO.)	PROCEEDINGS
10-13-76		Record vote of grand jury, filed in open ct. rm
10-13-76		Indictment, filed in open ct. Bond set at \$1,000 OR. 2 10-13-76 M (AEB-J)rm
10-14-76		Warrant for arrest of def. issued. rm
11-22		MO: UPon request of the Govt. Ct. increases bond of Def. to \$5,000 C/S. (AEB-J)b
11-22		Alias warrant for arrest issued. b
11-24		W/A issued 10-14-76, ret. & filed unexecuted. g
12-9		MO: Case set for ARRAIGNMENT & PLEA on 12-16-76 at 10:00 a.m. (AEB-J)v
12-10		Information sheet, waiver of counsel, and financial aff., fld. v
12-10		Notice of arraignment setting mld. to Atty. w/the following MO: Def. is granted 10 days from this date to file any and all pretrial motions; Govt. is then granted 5 days to file response. (AEB-J)v -notices mld. cert.
12-14		Marshal's ret. on warrant of arrest. Arrest def. in Calif. on 12/9/76. rm

DATE		Bradley Allen Spaulding	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY			
'76		(DOCUMENT NO.)	76-CR-140		Interval Section II (a)	Start Date End Date (b)	Lit. Code (c)	Total Days (d)
12-16		Case called for ARRAIGNMENT & PLEA. Parties present & rep. Deft. appears w/counsel & acknowledges receipt of Indictment. Deft. advised of charge, is arraigned and enters a plea of NOT GUILTY as to Counts 1 & 2. Case set on the 1-17-77 JURY DOCKET at 9:30 a.m. Deft. requests bond reduction & Court advises Deft. to file written motion. Deft. Remanded to USM. (AEB-J)v			2	12-16-76	M	65
12-17		Appearance bond in amt. of \$5,000 (surety), filed, w/order spec. methods & conditions. b						
12-22		MO: Case set for jury trial on 1-17-77, at 9:30 A.M. (AEB-J)b nts by cert ml w/affid.						
1-3-77		MO: Case set for change of plea on 1-11-77, at 10:00 A.M. (AEB-J)b nts by cert ml						
1-11		Case called for change of plea. Deft. present & rep. Govt. rep. & requests Ct. proceed on Ct. 1 only. Deft. placed under oath, deft. w/draws plea of Not Guilty to Ct. 1 & enters plea of GUILTY to Ct. 1 & is adjudged GUILTY as charged to Ct. 1. Deft. waives jury; waiver signed & filed in open court. Indict. read. Govt. recommends dismissal of Ct. 2. Ct. approves & Order for Dismissal of Ct. 2 signed & filed in open court. Sent. set on 1-18-77, at 10:00 A.M. Bond cont'd. Ct. orders pre-sent report. (AEB-J)b						
1-11		Order for Dismissal of Ct..2 of Indictment, filed & entered. (AEB-J)b						
1-18		Case called for sentencing. Deft. present & rep. Govt. rep. Deft. & co. asked if they have anything to say before sentence is pronounced: <div>Judgement & Sentence - Bradley Allen Spaulding Impos. of sentence is suspended & deft. is placed on prob ation for period of three (3) years from this date, under Fed. YCA, pursuant to 5010(a). The condition of probation is that the deft. make restitution of \$127.00 in payments at rate of \$5.50 a mo. beginning in Feb., 1977, to Ct. Clk. for payment to U.S.Treasury. Bond exonerated. (AEB-J)b</div>						
1-18		Judgment & Order of Probation, filed & entered. (AEB-J)b						
1-18		Two c/c of J & Ord. of prob., to probation. b						
4-24-80		MEMORANDUM for Jerry Bains to Judge. ho						
4-24-80		ORDER of discharge from probation. (HDC-J)ho						
4-24-80		CERTIFICATE of vacation of conviction. (HDC-J)ho						

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER
2-1-77	\$5.50 (restitution)		pd 5.50 11-28-77		pd 7.00 5-16-79
3-2-77	\$5.50		pd 50.00 3-10-78		11-7-79 Oak Cr. 22
5-2-77	\$5.50		pd 11.50 5-4-78		Thief T Wise 342-50
9-22-77	\$5.50		pd 5.50 6-2-78		pd in full
			pd 5.50 7-5-78		Bal 11-7-79 84.50
			pd 20.00 2/5/79		

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned
 OTHER MINOR OFFENSE MO ☐ 1085/4 8509
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office 12-8-76

U.S.
vs.

BAKER, Barbara Allen(Bond)(24)
 Route 10, Box 75
 Tulsa 74115

Case Filed
 Mo. Day
 10 13
 No. of Def's
 * 3

Barrow

76-CR-140 - 3

Yr. Docket No. Def.

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

18:371, 1702 Conspiracy - obstruction of corresp. 1
 (\$10,000 and/or 5 yrs)
 18:495 and 2 Counterfeit and forgery 2
 (\$1,000 and/or 10 yrs)

U.S. MAG.
CASE NO.

BAIL • RELEASE

☐ AMT ☐ Fugitive
☐ Denied ☐ Set ☐ Pers. Recog.

\$ 1 000 conditions

Date 10-13-76
☐ 10% Deposit
☐ Surety Bond

☐ Bail Not Made ☐ Collateral
☒ Status Changed (See Docket) ☐ 3rd Prty Cust ☒ OR Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL
U.S. Custody Began 10-15-76	High Risk Date 10-13-76	10-21-76	Trial Set For
Summons Served	Indict. Waived	1st Plea 10-21-76	<input checked="" type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL
First Appearance	In Charging District	Final Plea 11-22-76	<input type="checkbox"/> NG <input checked="" type="checkbox"/> G <input type="checkbox"/> NOL
	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>		

SENTENCE

Disposition of Charges
 12-8-76

☒ Convicted ☐ On All Charges
☐ Acquitted ☒ On Lesser * Offense(s)

☒ Dismissed: ☐ WOP: ☐ WP
☒ On Governm'ts Motion /ct 2.

MAGISTRATE

DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Search Warrant	Issued	PRELIMINARY EXAMINATION	Date Scheduled	<input type="checkbox"/> DISMISSED
Summons	Issued	OR	Date Held	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Arrest Warrant Issued	Served	<input type="checkbox"/> REMOVAL HEARING		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
COMPLAINT		<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED	Tape Number	
OFFENSE (In Complaint)		<input type="checkbox"/> INTERVENING INDICTMENT		

U.S. Attorney or Asst.

ATTORNEYS

Defense: ☒ CJA ☐ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

Hubert H. Bryant

Phil Frazier
 1424 Terrace Drive
 Tulsa 74104
 939-2445

* Show last names and suffix numbers of other defendants on same indictment/information:

Atterbury - 1; Spaulding - 2.

PROCEEDINGS

EXCLUDABLE DELAY

(a) (b) (c) (d)

10-13-76 Record vote of grand jury, filed in open ct. rm
 10-13-76 Indictment, filed in open court. Bond set at \$1,000 OR.
 (AEB-J)rm 2 10-13-76 M
 10-14-76 Warrant for arrest of def. issued. rm
 10-15-76 Magistrate papers added to file. rm
 10-15-76 Appearance bond (\$1000 personal), filed. rm
 10-15-76 Order, filed, specifying methods and conditions of release. (CSB-Mag)rm
 10-18-76 MO: Case set for arraignment and plea for Thursday, 10/21/76 at 10 a.m. Def. is granted 10 days from this date to file any and all motions; govt. is granted 5 days thereafter to respond. (AEB-J)rm-notices
 10-19-76 W/Arrest, ret. & filed: deft. arrested 10-15-76. g 2 10-15-76 M 3
 10-21 Case called for arraignment & plea. Deft. present & represented, by Michael Fairchild for Frazier. Govt. represented. Deft. acknow. receipt of indict & is advised of charge. Deft. enters plea of NOT GUILTY

Cont'd

DATE	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY				For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)
			Interval Section II (a)	Start Date (b)	Ltr. Code (c)	Total Days (d)	
	(DOCUMENT NO.)						
11-2	to Cts. 1 & 2. Case is set for jury trial on 11-22-76, at 9:30 A.M. Bond continued.(AEB-J)b						A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
11-22	MO: Case set for jury trial on 11-22-76, 9:30 A.M. (AEB-J)b nts by cert ml						B. NARA Examination (28 U.S.C. 2902).
11-22	Case called for jury trial. Deft. present & rep. Govt. rep. Deft. announces desire to change plea & Govt. requests Ct. proceed on Ct. 1 only. Deft. placed under oath & w/draws plea of Not Guilty & enters plea of GUILTY to Ct. 1. Deft. is adjudged GUILTY as charged to Ct. 1. Indict. read. Deft. waives jury; waiver signed & filed in open court. Govt. moves for dismissal of Ct. 2 & Ct. allows. Order for Dismissal of Ct. 2 signed & filed in open court. Sentencing set on 12-8-76, at 11:00 A.M. Bond continued. Ct. orders pre-sent report.(AEB-J)b						C. State or Federal trials on other charges.
11-22	Order for Dismissal of Ct. 2 of indict, filed.(AEB-J)b						D. Interlocutory Appeals.
12-8	Case called for sentencing. Deft. present & rep. Govt. rep. Deft. & co. asked if they have anything to say before sent. is pronounced:						E. Hearings on pretrial motions.
	Judgment & Sentence - Barbara Allen Baker						F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
	Ct. 1 - Impos. of sentence is suspended & deft. is placed on probation for period of two (2) years pursuant to 5010(a) YCA. Condition of prob. is that deft. make restitution in amt. of \$42.50 to Ct. Clk. for payment to U. S. Treasury, Payments at \$5.00 a mo. until paid beginning in Dec. 1976. Bond exonerated.(AEB-J)b						G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
12-8	Judgment & order of probation, filed & entered.(AEB-J)b						H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
12-8	Two c/c of J & Ord. of Prob. to probation. b						I. Prosecution deferred by mutual agreement.
							M. Unavailability of defendant or essential witness.
							N. Period of mental or physical incompetence of defendant to stand trial.
							O. NARA Commitment or Treatment.
							P. Superseding indictment and/or new charges.
							R. Defendant awaiting trial of Co-defendant when no severance has been granted.
							T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants interests).
							U. Time between guilty plea and plea withdrawal.
							W. Grand Jury indictment extended per 3161 (b).

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER
12-28-76	\$5.00	5-2-77 \$5.00			
2-7-77	5.00	9-19-77 17.50			
3-1-77	5.00	9-30-77 Oak Crest			
4-11-77	5.00	Thriftwise \$42.50 pd in full			